

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
SOUTHERN DIVISION**

YOLANDA HASTON,

Plaintiff,

v.

CIVIL ACTION NO.

PORTFOLIO RECOVERY ASSOCIATES, LLC,

Defendant.

**PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL**

YOLANDA HASTON (“Plaintiff”), through her attorneys, alleges the following against  
PORTFOLIO RECOVERY ASSOCIATES, LLC (“Defendant”):

**INTRODUCTION**

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (FDCPA).

2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

4. Defendant conducts business in the state of Illinois, and therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

**PARTIES**

6. Plaintiff is a natural person residing in District Heights, Prince George County, Maryland, and is obligated or allegedly obligated to pay a debt and is a “consumer” as that term is defined by 15 U.S.C. 1692a(3).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a corporation located in Norfolk, Virginia.

9. Defendant is a collection agency that in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

**FACTUAL ALLEGATIONS**

10. Defendant constantly and continuously placed collection calls to Plaintiff seeking and demanding payment for an alleged payday loan debt at approximately \$600.00 dollars.

11. Defendant has been calling Plaintiff for approximately six (6) months.

12. Defendant calls Plaintiff everyday, up to three (3) times a day.

13. Defendant called Plaintiff at her place of employment at (301) 736-3994.

14. Plaintiff informed Defendant that she was not allowed to receive personal telephone calls at work and asked that Defendant stop calling her at work.

15. Despite Plaintiff’s request, Defendant continued to call Plaintiff while at work.

16. Defendant informed Plaintiff that if she did not return the calls, Defendant would file a lawsuit against her and referenced a "case number". To date, no lawsuit has been filed.

17. Defendant further threatened to have Plaintiff served at work with summons and complaint.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Defendant violated the FDCPA based on the following:
- a. Defendant violated §1692c(a)(3) by contacting Plaintiff at her place of employment even though Defendant was informed that Plaintiff is not allowed to receive personal communications at work;
  - b. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff;
  - c. Defendant violated §1692d(5) of the FDCPA by causing a telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff;
  - d. Defendant violated §1692e(5) of the FDCPA by threatening to file a lawsuit against Plaintiff when Defendant has not and does not intend to take such action; and
  - e. Defendant violated §1692e(10) of the FDCPA by using false and deceptive means to collect a debt when Defendant threatened to have Plaintiff served at work with summons and complaint.

WHEREFORE, Plaintiff, YOLANDA HASTON, respectfully requests judgment be entered against Defendant, PORTFOLIO RECOVERY ASSOCIATES, LLC, for the following:

- 1. Statutory damages of \$1,000.00, pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*;
- 2. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*; and
- 3. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Fredrick Nix  
Fredrick Nix - Local Counsel  
Law Office of Fredrick E. Nix  
240 S Potomac Street  
Hagerstown, MD 21740

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, YOLANDA HASTON, demands a jury trial in this case.

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

(STATE OF MARYLAND

COUNTY OF PRINCE GEORGE)

Plaintiff, YOLANDA HASTON, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, YOLANDA HASTON, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

7/21/11  
Date

Yolanda Haston  
YOLANDA HASTON